

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-21 are pending in this case. Claims 1, 12, and 15 are amended by the present amendment. Amended Claims 1, 12, and 15 are supported by, for example, the specification at page 11, lines 26-32 and page 16, lines 14-20. Thus, no new matter is added.

In the outstanding Office Action, Claims 1-18, 20, and 21 were rejected under 35 U.S.C. §103(a) as unpatentable over Vaudreuil (U.S. Patent No. 5,740,230) in view of Thorne et al. (U.S. Patent No. 5,958,005, hereinafter "Thorne"). Claim 19 was rejected under 35 U.S.C. §103(a) as unpatentable over Vaudreuil in view of Thorne and further in view of Yokomizo (U.S. Patent No. 6,163,796).

Applicants and Applicants' representatives thank Examiner Lazaro for the courtesy of the interview granted to Applicants' representatives on March 1, 2007. During the interview, differences between the claims and Thorne were discussed. Examiner Lazaro agreed that a proposed amendment to Claim 1 appeared to overcome the rejection of record. This proposed amendment to Claim 1 is presented herewith, and similar amendments are made to independent Claims 12 and 15.

With regard to the rejection of Claim 1 under 35 U.S.C. §103(a) as unpatentable over Vaudreuil in view of Thorne, that rejection is respectfully traversed.

Amended independent Claim 1 recites in part:

wherein messages include meta information containing a plurality of different fields, said meta information including *a secure read count value indicating the current number of times the message has been read* and a maximum read count value limiting the maximum reads of the message,

Thus, each message includes two pieces of meta information, a secure read count value and a maximum read count value. The secure read count value indicates the current

number of times the message has been read. This subject matter is supported by the specification at page 11, lines 26-32 and page 16, lines 14-20, and by the plain meaning of “secure read count,” as a “read count” is clearly a current number of time the message has been read.

The outstanding Office Action conceded that Vaudreuil does not teach or suggest this feature and cited the message read times counter of Thorne as describing this feature.¹ However, Thorne only describes that the message read times counter is incremented.² As shown for example in Figure 4 of Thorne, Thorne does *not* teach or suggest that such a counter is *included in any part of the message*.³ Failure of Thorne to include this information in the message allows a user who is forwarded a message to be able to read the message the full number of time indicated by the maximum read count. Thus, the apparatus described by Thorne makes it possible for a first recipient of the message to read the message four times and then forward said message to a further recipient that will again be allowed to read said message up to five times (assuming the maximum read count is five).

In contrast, by incorporating both a secure read count value *and* a maximum read count value into each message, the invention recited in Claim 1 ensures that the message will not be read more than the number of times defined in the maximum read count field. Consequently, Thorne does not teach or suggest “wherein messages include meta information containing a plurality of different fields, said meta information including *a secure read count value indicating the current number of times the message has been read* and a maximum read count value limiting the maximum reads of the message” as recited in Claim 1.

¹See the outstanding Office Action at page 4, lines 1-5.

²See Thorne, column 11, lines 5-12.

³See, e.g., Thorne, column 1, lines 6-8.

Since Vaudreuil and Thorne do not teach each and every element of amended Claim 1, it is respectfully submitted that Claim 1 (and Claims 2-11 dependent therefrom) is patentable over Vaudreuil and Thorne.

Independent Claims 12 and 15 recite similar elements to Claim 1. It is respectfully submitted that Claims 12 and 15 (and Claims 13, 14, and 16-21 dependent therefrom) are patentable over the cited art for at least the reasons discussed above with respect to Claim 1.

With regard to the rejection of Claim 19 as unpatentable over Vaudreuil and Thorne in view of Yokomizo, it is noted that Claim 19 is dependent from Claim 15, and thus is believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Yokomizo does not cure any of the above-noted deficiencies of Vaudreuil and Thorne. Accordingly, it is respectfully submitted that Claim 19 is patentable over Vaudreuil and Thorne in view of Yokomizo.

Accordingly, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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